

WORKFORCE DEVELOPMENT DEPARTMENT[871]

Adopted and Filed

Rule making related to notification of availability of unemployment insurance

The Director of the Workforce Development Department hereby amends Chapter 22, “Employer Records and Reports,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 96.11.

State or Federal Law Implemented

This rule making implements, in whole or in part, the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136).

Purpose and Summary

New rule 871—22.19(96) is adopted because the U.S. Department of Labor has added a requirement as a result of the pandemic, which is included in Unemployment Insurance Program Letter (UIPL) No. 13-20, that states must require employers to notify their employees of the availability of unemployment insurance (UI) upon separation.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on August 12, 2020, as **ARC 5128C**. This rule making was also adopted and filed emergency and published in the Iowa Administrative Bulletin as **ARC 5127C** on the same date. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Director of the Department on January 28, 2021.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on May 26, 2021, at which time the Adopted and Filed Emergency rule making is hereby rescinded.

The following rule-making action is adopted:

Adopt the following **new** rule 871—22.19(96):

871—22.19(96) Notification of availability of unemployment insurance.

22.19(1) Upon separation from employment, an employer shall provide documentation to an employee of the availability of unemployment insurance.

22.19(2) The notice shall inform employees of the following:

- a.* Unemployment insurance benefits are available to workers who are unemployed and who meet the state's eligibility requirements;
- b.* Employees may file a claim in the first week that employment stops or work hours are reduced;
- c.* Employees may file claims online at iowaworkforcedevelopment.gov or by telephone at (866)239-0843;
- d.* Employees must provide the department with the following information to process the claim:
 - (1) Full legal name;
 - (2) Social security number;
 - (3) Authorization to work (if the employee is not a U.S. citizen or resident);
 - (4) Last employer name and address;
 - (5) Start and end dates of the employee's last employment;
 - (6) Additional information upon request of the department.

This rule is intended to implement Iowa Code chapter 96 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136).

[Filed 1/28/21, effective 5/26/21]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 2/24/21.